

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

**BUDD REESE,
Inmate # 80466**

2:17-cv-01627-MMD-CJ B

ROBERT FOXFULKER, et al.,

Plaintiffs.

ORDER

Defendants.

ROBERT FOXFULKER, et al.,

Defendants filed a motion for summary judgment on May 26, 2021 (ECF No. 53).

Plaintiff was given notice pursuant to the requirements of *Klingele v. Eikenberry*, 849 F.2d 409 (9th Cir. 1988), and *Rand v. Rowland*, 154 F.3d 952 (9th Cir. 1998) on May 27, 2021 (ECF No. 57). To date, plaintiff has failed to file points and authorities in opposition to the motion.

Plaintiff is advised the court may consider the facts of the motion as undisputed if the opposing party fails to file points and authorities and submit evidence in response to the motion. Accordingly, the court may then grant the motion if it has merit. The court will *sua sponte* grant plaintiff an extension of time to **July 22, 2021** to file an opposition to the motion.

No further extensions of time shall be granted.

DATED: June 22, 2021.

Baldwin
D STATES MAGISTRATE JUDGE

UNITED STATES MAGISTRATE JUDGE